

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

Hearing Date: August 27, 2025
Hearing Time: 9:15 a.m.
Hearing Location: Albany

IN RE:

ARDEX INTERNATIONAL COMPANY

Chapter 7
Case No. 22-10312

Debtor.

**MOTION FOR AN ORDER PERMITTING DISTRIBUTION OF SURPLUS FUNDS
PURSUANT TO 11 U.S.C. §105**

Michael Jude O'Connor, Esq., as Trustee for the above-referenced Chapter 7 estate (the 'Trustee'), respectfully represents the following in support of his Motion for an Order permitting distribution of surplus proceeds in the estate to the individual members of the Ardex International Company partnership (Sahag Sukljian and Nubar Sukljian).

1. Ardex International Company (the "Debtor") filed a voluntary petition for relief pursuant to Chapter 7 of the U.S. Bankruptcy Code (the 'Code') with the U.S. Bankruptcy Court for the Northern District of New York on April 8, 2022 (the "Petition").

2. The Trustee was appointed on April 8, 2022, and is duly qualified to act as such.

3. The Trustee's Final Report was filed on June 10, 2025 and an Order was entered on July 9, 2025. approving the report and authorizing distribution of estate funds.

4. This is a surplus case and after paying costs of administration, there is a balance in which the Debtor is entitled of \$6,043.22.

5. The Debtor is a New York Partnership owned by two brothers, Sahag Sukljian and Nubar Sukljian, both in excess of 90 years old. Upon information and belief, the partners have an acrimonious relationship and have been involved in litigation against each other for several years.

6. The Trustee is concerned if he issues a check to Ardex, based upon the ongoing disputes between the brothers, the check would not be negotiated leaving the estate open for an indefinite period of time until funds would be turned over to the bankruptcy court.

7. With this Motion, the Trustee seeks an Order permitting him to issue a check in the individual names of the two partners. Sahag Sukljian shall receive \$3,021.61 and Nubar Sukljian shall receive \$3,021.61.

8. In addition to the foregoing, as part of this requested relief, the Trustee seeks an order permitting him to disburse the funds to Nubar Sukljian, care of his attorney, Michael L. Boyle and to Sahag Sukljian, care of his attorney, Terrance P. Christenson.

WHEREFORE, on the basis of the foregoing, it is respectfully requested that the relief sought be granted and that this Court grant such other and further relief as it deems just and proper.

DATED: July 28, 2025

/s/ Michael J. O'Connor
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